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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

SCIENTIFIC PLASTIC PRODUCTS, INC.,
a California corporation,

Plaintiff,

v.

BIOTAGE AB, BIOTAGE GB LTD.,
BIOTAGE, LC, BIOTAGE, INC. and
MERCK & CO.,

Defendants.

ALL RELATED COUNTERCLAIMS AND
CROSS CLAIMS

Case No.: 11CV2778 BAS BLM

**JOINT MOTION FOR
VOLUNTARY DISMISSAL OF
CROSS-CLAIM OF
DEFENDANT MERCK & CO.**

Judge: Hon. Cynthia Bashant

In view of the Order of the Court dated August 7, 2017, no claims by Plaintiff Scientific Plastic Products, Inc. against Defendants Biotage AB, Biotage GB Ltd., Biotage, LLC, and Biotage, Inc. (collectively, "Biotage"), and Defendant Merck & Co. remain in this action. Therefore, pursuant to Fed. R. Civ. P. 41 and Civ. L. R. 7.2, Biotage and Merck stipulate to the dismissal without prejudice of the cross-claim by

Merck against Biotage, with each party bearing its own fees and costs. The parties respectfully request that the Court enter the Proposed Order submitted herewith.

[Signatures on the following page.]

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1 Respectfully submitted,

2 /s/Justin E. Gray

3 Justin E. Gray
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27 Respectfully submitted,

28 /s/Elizabeth L. Brann

Signed with permission

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I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed on August 10, 2017.

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